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(FOUO 3/79)

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JPRS L/8384

9 April 1979

TRANSLATIONS ON EASTERN EUROPE
POLITICAL, SOCIOLOGICAL, AND MILITARY AFFAIRS
(FOUO 3/79)

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GERMAN DEMOCRATIC REPUBLIC

FRG OFFICIAL REVIEWS WORK OF FRG-GDR BORDER COMMISSION

Bonn EUROPA-ARCHIV in German 10 Jan 79 pp 19-28

[Article by Dr. jur. Klaus Otto Nass, until 1976 department chairman at the European Commission in Brussels, now state secretary in the Ministry for Economics of Lower Saxony and for a period of almost 2 years, 1976-1978, Lower Saxony's member of the Border Commission]

[Text] The Protocol Over the Inner-German Border

For a period of almost 6 years, from 31 January 1973 until 28 November 1978, the Commission, consisting of delegates from the governments of the FRG and the GDR (Border Commission), met at irregular but never too distant intervals, alternating between towns of both German states, usually close to the border, before the leaders of both delegations, each for his own government, on 29 November 1978 signed a document in Bonn which is identified as a "Protocol" between the two governments.

A contract regarding the foundations of the relationship between the FRG and the GDR (Basic Treaty) of 21 December 1972 had created this mixed commission. It had given it a dual task: first, to control the border markings between the two states and, if necessary, to renew or supplement them, as well as to compile the necessary documentation regarding the course of the border; secondly, the Border Commission was "likewise" to contribute to the "settlement of other border-related problems, e.g., water rights, supply of energy and pest control."¹

With this Protocol, which consists of five articles and a footnote regarding the Elbe River, the governments sanction the results of all past work by the Border Commission. The Border Commission had submitted a report about its past work, which is attached to the Protocol as Appendix I.² Further attached to the Protocol are: Parts of the border documentation, as well as a total of 20 agreements regarding other border-related problems, 12 of which had already gone into effect before the signing of the Protocol and another 7 of which became effective at the time of signing but which had been (with one exception) in tentative use "beforehand." A few of these agreements have only local significance for a certain area near the border, but others would merit thorough consideration, which must be omitted here because of limited space.

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Prominent among these important texts is the regulation regarding pest control at the border and principles regarding upkeep and extension of water resources at the border, as well as their water supply installations; further agreements about fishing in Lubeck Bay, soft coal mining in the Harbke-Helmstedt area, which covers land on both sides of the border, as well as border crossings by recreational boats and other amphibious vehicles on the Werra and Saale rivers. As far as the marking tasks of the Border Commission are concerned, it is evident from former documents and the report of the Border Commission that 1,296.7 km of border have been surveyed geodetically. Not yet surveyed are border sectors 7-9 (Elbe River) (approximately 95 km) and a part of border section 24 (Warne Bode) (approximately 1.2 km).³

Peculiarities of Inner-German Border Determination

The past work of the Border Commission shows peculiarities in at least three different respects:

First, according to Article 2 of the treaty regarding relations between the FRG and the Three Powers (German Treaty) of 26 May 1952, the Three Powers (France, Great Britain, United States) retained those rights and responsibilities regarding Berlin and Germany as a whole and after the transition of sovereignty to the FRG which they had held and exercised until then within the framework of the Four Power agreements. Therefore, the government of the Federal Republic was not empowered to agree to any deviation from the demarcation line of the inner-German border, which had been drawn by the occupational powers.

The GDR acknowledged this limited sovereignty in Article 9 of the Basic Treaty, which provides "that through this treaty no earlier treaties by them [the FRG and the GDR], or international treaties between two or more parties concerning them, shall be affected."

This determination was related expressly to the agreements among the Allies in correspondence between Federal Minister Egon Bahr and Secretary of State Michael Kohl. In accordance with this general limitation, both parties to the treaty stated concretely in the Basic Treaty: "The course of the border...is established according to the determinations in the London Protocol of 12 September 1944. Wherever the border deviates locally from these determinations on the basis of later agreements of the occupational powers, its exact line is determined and marked by the Commission at the site in question taking into consideration all relevant facts."⁴

The practical consequence of this legal position was sometimes costly research into the intentions of the occupational powers as expressed either in writing, orally or by inference. Thereby the "customarily used border" visible in the terrain, which had not been changed after control passed into German hands, served as an essential guideline.

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Secondly: In spite of this unambiguous binding of the work of the Border Commission to the allied agreements regarding the borderline, different interpretations regarding border rights exist on both sides. This discrepancy is openly stated in the Basic Treaty, the introduction to which expressly mentions the "differing opinions" of both states "on basic questions, among them on the national question." To the GDR it is a national border which is subject only to international law.⁵ The FRG, on the other hand, goes by the ruling of its Supreme Court, which describes the border "as a border between two states under constitutional law," with the "peculiarity that it exists on the foundation of the still existing state of 'Germany as a whole,' so that it is therefore a state border similar to those between the states of the Federal Republic."⁶

This difference of opinion regarding the legality was in itself without significance as far as determination of the intra-German borderline is concerned. However, it gained in significance through the initial attempt of the GDR to formulate the documentation which concludes the past work of the Border Commission. This attempt failed, as will be shown below.

The "border policies"⁷ of the GDR are the third notable element, although it is not the task of the Border Commission to treat them as such. Incidents along the border adversely affected current talks more than once. The FRG delegation tried to contribute to clearing up and avoiding such incidents. It was beyond the powers of the West German delegation to prevent the GDR from systematically building up its fortified installations, even during the last 6 years. The Border Commission has, nevertheless, contributed to a decrease of tensions at the intra-German border to an extent which is not yet fully measurable.

About the Problematic Nature of a Comprehensive Document

Determination of the border is at any rate one prerequisite among others for the prevention of border conflicts. Why did the FRG agree to this Protocol which, although it clarifies the borderline, does not noticeably lessen the inhumanity of the GDR "border policies"? This question ultimately contains a criticism of the Basic Treaty, which established the Border Commission and charged it with the determination of the borderline and the handling of other borderline-related problems. The Basic Treaty is, however, in the interpretation given by the Supreme Court, the legal authority; pacta sunt servanda.

But isn't there a danger that the GDR will attempt to attribute to this Protocol the character of a treaty, of an international border treaty? Surely the GDR would like to see the Border Commission as a commission exclusively under international law. In the opinion of the FRG, however, what is special about the Basic Treaty (and, therefore, the Border Commission as well) is "that, although it is a bilateral treaty between two states which is subject to international law and which has the same validity as any other international treaty, it is between two states which are parts of a still existing, if inoperative, encompassing state of a

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total Germany with a homogeneous population..."⁸ No one can expect that the GDR will embrace this view. Anyone not wanting to supply the GDR with the pretext for describing a document as a purely international treaty would have to simply reject any negotiations and agreements with the GDR.

At any rate, it was advantageous to recapitulate the extensive results of years of work of the Border Commission. If one wishes to appreciate the chosen form of a government protocol, it must be seen against the background of the interests of both negotiating partners. While possibly a report of the Border Commission could, in some respects, have been satisfactory to the Federal Republic, two demands of the GDR remain unfulfilled, namely, the conclusion of a formal treaty and its formal ratification.

In other respects, certain aspects of the discussion (which ensued during the provisional signing of the document in the FRG) over the treaty nature of the Protocol in the sense of Article 102 of the UN Charter⁹ did not address the actual problem. The document is, in view of the special nature of intra-German relations, not an "international" agreement; in particular, neither the Basic Treaty nor its subsequent agreements are filed with the United Nations. But even if the document could be registered with the UN Secretariat, the exclusively declaratory character of the border determination in the border documentation could in no way be disputed. The decisive criteria for judging the government Protocol is this question: does the document contain a constitutional border determination, or does it merely give the appearance of an autonomous agreement between the two German states regarding the course of the border separating them.

Not a Constitutional Border Determination

The answer is unambiguous: No. The more intensively one examines the wording of the Protocol, the more it becomes clear that it does not permit any other interpretation. Even its Preamble makes clear that the entire document rests "on the basis of the treaty of 21 December 1972," which had instituted the Border Commission. Taken into consideration are Article 9 regarding rights reserved to the Allies, as well as the Protocol definition regarding the tasks of the Border Commission, with its express reference to the London Protocol and later agreements there between the occupational powers. In addition, the addendum which outlines the tasks of the Border Commission and the Protocol definition mentioned above are cited five additional times (Art 1, par 3; Art 4, par 1; Protocol footnote Elbe No 1; Protocol footnote Elbe No 2; Report of the Border Commission No 1). One can hardly imagine a closer interpretation of the Basic Treaty clause, in which the GDR also expressly acknowledged the principle of a nonconstitutional border drawn by the occupational powers. To the contrary, 34 years after the conclusion of the London Protocol a common text of both German states refers to this Allied legal foundation.

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Nor can this interpretation of the text be weakened by referring to the fact that the Preamble contains clauses which in part appear to be derived from the Final Act of the CSCE [Conference on Security and Cooperation in Europe] (e.g., "refraining from threats of force or use of force," "inviolability" of the border, "unlimited respect for territorial integrity"), or those which belong to the universally recognized rules of international law. All elements within the Preamble are (also) contained in the Basic Treaty (Preamble and Article 3, which is the basis of the Border Commission), and any enumeration in the Preamble of the document is subordinated to the reference to the Basic Treaty by the preceding word "accordingly" ("on the basis of the treaty...accordingly in the effort..."). Thus it is clear: The Basic Treaty is the sole basis for the Protocol, and neither formulas of the CSCE Final Act nor general rules of international law, but only parts of the Basic Treaty, are repeated in the Preamble of the Protocol.

This interpretation of the document as a text which merely notes but does not change the borderline is confirmed in many instances; such as when the "existing" border is mentioned (heading, Article 1, etc.), such as when Article 2 speaks expressly of the "determined course of the border existing between the FRG and the GDR," and simply by the fact that both governments have evidently not reached agreement on the Preamble, as in the Basic Treaty, but rather merely say that they "agree."

Finally, the government Protocol itself does not mention border markings, but rather confirms that the work of the Border Commission agrees with the Basic Treaty. This border documentation has been available for years at the Bureau of Survey for the respective border segments. Both sides in the Border Commission had agreed on the points in time on which they based their practical measures from the verified, marked and surveyed borderline.

It is unambiguous that the text has neither drawn new borders nor claims to autonomously redraw the borders drawn according to occupational law. And in addition: the document, in contrast to the Basic Treaty, changes nothing as far as the legal nature of the border is concerned, nor does it change the legal character of the relations between the two German states. After the signing of the document, as well as before, these relations have the same character as that outlined by the Federal Supreme Court decision of 31 July 1973.

From that it can also be concluded that the FRG cannot be accused of not having improved its legal position as compared with the Basic Treaty. Such a basic improvement was not the goal of the negotiations, and could not be the goal of the negotiations, if the corresponding intentions of the GDR were to be met with as much success as was actually achieved (e.g., the GDR intention to conclude a treaty with constitutional clauses), considering the initial regulations binding both sides.

There might also be criticism of the fact that the Preamble of this Protocol did not--as, for example, the Preamble of the Four Power Pact of 3 September

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1971 on Berlin--contain a passage like "without damaging their legal position." Even such criticism would misunderstand the character of this Protocol, which is dependent on the Basic Treaty (especially regarding the national question and citizenship problems). On the contrary, an un-specific, general, legal reservation on both sides which deviated from the Basic Treaty would have given to the GDR a pretext for claiming that the Protocol had departed from the understanding achieved in the Basic Treaty binding the obligations of the occupational powers. A reservation was indeed included where it was meaningful, namely, regarding the unsolved Elbe River question.

The Omission of the Elbe River

In four border segments (Elbe and part of the Harzbach Warne Bode) there was a failure to achieve an understanding on the borderline determined by the occupational powers. The problems relating to the course of the Elbe border¹⁰ cannot be dealt with in this report. It may suffice to mention that the Second Criminal Panel of the Supreme Court in justifying a decision, stated on 2 February 1977: "At Elbekilometer 540.5, according to historic development, the border between the FRG and the GDR runs along the east bank of the Elbe River"; the GDR, on the other hand, according to a decision by the chairman of its highest court on 9 November 1977, assumes a movable border on the river, namely, the lowest point of the valley, that is, the channel.

As far as the Elbe River is concerned, the work of the Border Commission is not yet concluded but continues. Both parties are in agreement on this in the document (Protocol Art 1; Protocol footnote Elbe No 1 and 2). Therefore, it was not a case of the application of Protocol definition No 3 of the tasks of the Border Commission, which states: "If the Commission cannot reach agreement on a problem at hand, this problem will be submitted by both sides to their governments, which will settle it by way of negotiations."

By this formal statement, which essentially agrees not to agree, government negotiations on the Elbe border could be avoided. The GDR, on the other hand, had a fundamental interest in continuing work on this problem, especially since the unresolved Elbe border could be considered a symbol of the unresolved German question. In spite of this symbolic content, the FRG could, even had to, consent to the GDR wish not to change the legal position outlined in the Basic Treaty through this Protocol, especially in compliance with the above-mentioned principle. For that reason it was able to confirm that the mission of the Border Commission, which has no time limit, remains in existence.

Thus, what is in effect is the expressly stated willingness to continue the work not only of ascertaining the course of the border but also of other related problems, for example, the exercise of fishing rights on the entire river and in the sloughs of its eastern bank. The FRG's interest in solving such questions was quite intense but nevertheless did not lead it to question basic principles for the sake of practical solutions.

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Avoidable Border Incidents

Even in the future the lack of ambiguity which could be achieved at other border segments through border documentation will, therefore, not be achieved at the Elbe River, which, incidentally, is a Federal waterway according to the addendum to the Federal Waterways Law of 2 April 1968. But, now as before, the river is navigated by ships of the FRG and the GDR. In the Protocol footnote mentioned above, both sides start from the premise that the traffic treaty of 26 May 1972 continues to apply to this area. This treaty, however, does not regulate in detail the coexistence of ships from both states on the Elbe River (compare, especially, the Protocol footnote to Article 23 of the traffic treaty).¹¹ In view of the bilaterally unregulated responsibilities and the unresolved borderline, the potential for conflict on this river can flare up at any time. The previously mentioned principles for pest control at the border which were worked out by the Border Commission on 20 September actually also apply to the border segments in the Elbe region; but, for example, the bilateral obligation it contains, "to take all possible measures...to prevent the occurrence of damages to the area of the other state" (Article 4), presumes an agreement as to where the area of the other state begins and one's own area ends.

For that reason, there is special significance in that part of the Protocol footnote referring to Elbe-related problems which says: "Until an agreement is reached, both sides will continue to take into consideration the circumstance that the work regarding border segments 7-9 has not been concluded." In clauses, both governments thus declare their willingness to avoid conflicts which could arise through the unresolved border question in the Elbe area. This sentence does not contain a bias favoring a certain course of the border, not even in the reference to the past ("will continue to"); it particularly does not provide any binding arrangement which goes beyond the traffic treaty regarding existing practice on the Elbe River. "With all measures"--those are measures in "border segments 7 to 9." Where the border runs, whether on the river itself or along the east bank sloughs, remains open. Additionally, the following sentence contains a reservation regarding the "interpretation of the legal position."

The value of such clauses is, however, questionable, as long as the views about a "provocation" at the border are as far apart as they are between the GDR and the FRG. When the GDR party secretary, Erich Honecker, declares, "In 1976 alone more than 1,000 provocations and attempts against our border troops were made by the FRG," then he has--assuming the number is correct--counted every furrow that a West German farmer has illegally, but not necessarily intentionally, plowed on GDR soil. Such border violations by the GDR are not even possible, because the land at the border is not used agriculturally; rather, there is a continuous belt of fortifications and barrier installations between the border and the population which is meant to prevent not only accidental, but especially intentional, border crossings from east to west.

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The situation is similar in the border region of the Elbe River: while anyone may row on or swim in the river from the west bank of the river, river access from the GDR side is prohibited to private individuals. A West German pleasure boat which gets into the eastern sloughs is considered a border provocateur. However, not every West German pleasure boater acts as the somewhat dangerous situation demands. If the GDR should desire a conflict on the Elbe River, it could always create or find a pretext. Whether all is "calm" on the Elbe River does not depend on what is happening on the river as much as on the total nature of the relations between the two neighbors. Clauses like the one cited above are proof of the good will--at least at present--of the signatories. As for the rest, the border practices of the GDR, as long as they are not fundamentally changed, undeniably remain "a special hindrance to the normalization of relations."¹²

Future Tasks of the Border Commission

Can the Border Commission help prevent border incidents in the future? According to the Protocol, the Border Commission continues in existence. When the Border Commission began its activities, both delegations had stated in Protocol footnotes that the agreements on pest control and border waters were to go "into effect together with the documents concluding the work of the Border Commission." Its task, however, has no time limit, according to the Basic Treaty. The future tasks of the Border Commission will be (besides continued advice on Elbe-related problems) the checking and, if necessary, replacing of markers, participation in the carrying out of agreements concluded or prepared by it, as well as "discussion of further problems related to the course of the border."¹³ The responsibility of the Border Commission to contribute to the settlement of border incidents, which is thus implied, does not limit the jurisdiction of the permanent representatives in Bonn and East Berlin; neither are parallel actions on both avenues excluded. But routine methods on the bureaucratic level in a regularly convening commission are sometimes better suited for easing the situation than proceedings of a more political nature.

The Protocol now concluded refers expressly to the legal principles which have applied until now for the work of the Border Commission (Art 4, par 1; Art 4, par 2; as well as "principles according to Article 4" attached as Appendix IV). With that it is made clear that this is the same Border Commission that the Basic Treaty instituted and not a new commission based on this Protocol. To be sure, some policies which until now have been unofficially in use are not specified in writing; but as before, Article 3, Addendum to the Protocol, and the Protocol definitions of the Basic Treaty remain in effect. Further evidence of this is the fact that, although work on border segments 7 to 9 is to be "continued," the decisive determinations of the Basic Treaty (as, for example, the passage stating that "the necessary documentation regarding the borderline" must be compiled are not repeated.

The Border Commission will therefore continue to deal with all problems relating to markings and the borderline. As before there is no possibility

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of direct negotiations between, for example, a West German Kreis administration or state administration with the corresponding local officials of the GDR. That does not rule out the possibility that local experts (e.g., a geodeticist) can be consulted or given special assignments by the Border Commission. Two reasons are decisive for this concentration of tasks: First- the centrally organized GDR is totally unwilling to delegate power; and second, the special nature of inner-German relations includes a central jurisdiction of the FRG in relation to the GDR which might even exceed the general rights of the Federation to foreign representation as laid down in Article 32 of the Constitution. It even governs matters within the FRG which are subject to exclusive international jurisdiction; this has been confirmed indirectly by the Federal Supreme Court in that it declared the Basic Treaty valid, not subject to modification by state legislatures, even in those cases in which it regulates international matters (e.g., Article 7 regarding cooperation in the cultural field, as well as point No 10 of the Addendum to Article 7 of the Protocol regarding radio and television).

As the above arguments have shown, the significance of the Protocol lies, on the one hand, in the confirmation that the border between the two states (except for Elbe and Warme Bode) was unambiguously marked and documented by the Border Commission, and, on the other hand, in the settlement of numerous, mostly local problems.

The border policies of the GDR are, however, not relaxed by this Protocol; they continue to burden the relations between the FRG and the GDR. But the Border Commission has, in the past, contributed to the avoidance, or rather, settlement of border incidents. It is hoped that it will succeed in that in the future as well.

The policy of keeping the German question open will be successful only if both states continue to talk and if misunderstandings and prejudices are reduced. On the other side, the GDR leadership, for reasons of self-identity, continues to need a policy of demarcation toward the FRG, which limits the possibilities of talks. Seen in this light, the Border Commission does not contribute to the German partition but, on the contrary, by continuous dialog, to increased bilateral understanding.

FOOTNOTES

1. Article 3, Basic Treaty of 21 December 1972; Addendum to Protocol to Article 3, Basic Treaty, as well as Protocol definition of the tasks of the Border Commission by both leaders of the delegation, also of 21 December 1972. Quoted in BGBI II, 1973/1, p 421 ff; EA 1/1973, p D13 ff.
2. Compare Protocol wording and certain attachments on p D3 ff.
3. Compare in detail: "The Border Commission--A Documentation of Principles and Activities," published by the Federal Ministry for Inner-German Relations, Bonn, November 1978.

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4. Protocol Definition (footnote 1).
5. Compare, for example, Erich Honecker, interview by SAARBRUECKER ZEITUNG, 19, 20 and 21 February 1978; excerpts in EA 20/1978, p 549 ff (550).
6. Constitutional Law of 31 July 1973, Constitutional Laws Vol 36, p 26. For an apparently differing opinion, see Karl Kaiser and Peter Roggen, "The Eastern Policies of the FRG in the framework of Western Politics of Detente," in "Die internationale Politik 1970-72," Muenchen-Wien 1978, p 179.
7. Compare "Woerterbuch zum Sozialistischen Staat," Dietz-Verlag, Berlin 1974, p 343.
8. Constitutional Laws, Vol 36, p 23.
9. Compare FRANKFURTER ALLGEMEINE ZEITUNG, 27 October 1978.
10. Compare Dietrich Rauschnig, "Festschrift fuer Eberhard Menzel, Berlin 1975 p. 492 ff.
11. Quoted in: EA 13/1972, p D320 ff (Protocol footnote p D327).
12. Federal minister for inner-German relations, "Report and Documentation of the Development of Relations Between the FRG and the GDR 1969-1976," p 17.
13. Compare No 21, paragraph 3 of the "Principles of Art. 4" of the Protocol, p D5.

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POLAND

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MILITARY SALARIES--Young Poles, obliged to serve for two or three years with a salary ranging from 170 zlotys for a private to 250 zlotys for a corporal, nevertheless are proud to join an army which is not only a technical school but also a school of social attitudes, combat hardening and discipline. And above all, he is really considered "a man" when he returns from military service. [Excerpt] [Paris ARMEES D'AUJOURD'HUI No 37, Jan-Feb 79 pp 14-15]

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ROMANIA

ROMANIAN INDEPENDENCE FROM USSR EXAMINED BY FRENCH SOURCE

Paris VALEURS ACTUELLES in French 22 Jan 79 pp 36-37

[Article by Jean Grandmougin]

[Text] Cambodia, the Warsaw Pact: Romania accentuates its diplomatic independence from the USSR. The threat of armed normalization takes shape.

Nicolas Ceaucescu's regime continues its internal rigidity and flaunts a diplomacy which differs with the Kremlin. A phenomenon due to the country's "latinity?" In any case, three days before last week's reception of Giscard d'Estaing, who to some extent is a spokesman for the West, Bucharest knocked up against Moscow over Cambodia.

In effect, the Romanian Communist Party censured the invasion of the country by Vietnamese troops. "There is no justification, in any form, that warrants one country interfering in the affairs of another," it was stated.

This was not a trial flight for Ceaucescu. During last November's Moscow meeting of the consulting committee for the Warsaw Pact, the Romanian chief of state had refused to accede to two Russian demands:

Though Romania contributes a bare 3 percent of the Pact's military budget, it would not agree to an increase. The reason: "Intensification of armaments will make improvements in the people's standard of living impossible." "Demagogic reasoning," Brezhnev protested. What is happening, he said, is "unilateral disarmament."

Ceaucescu would not agree to greater integration of Pact forces. He affirmed: "We will never allow any Romanian unit or any Romanian soldier to receive orders from a foreign source. We mean to run ourselves."

Under cover of reforming the Pact, the Russians intend drawing their European allies into their quarrel with China. Just as Vietnam's entry into CEMA resulted in Eastern Europe taking on a part of the burden of economic aid to Vietnam, so it was anticipated that Vietnam's entry into the Warsaw Pact during Prime Minister Pham Van Dong's visit to Moscow in early November would entail military aid.

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This would lead the USSR's European partners to side with it in the conflict with China, even to military operations in Asia or elsewhere, not covered by the Warsaw Pact. The Pact envisages only "meeting imperialist aggression against socialist countries in Europe," Ceaucescu reminded them. Though for the Russians the Chinese have become the tools of NATO in Asia, for the Romanians the Chinese are to be considered as friends.

Last summer, to the Kremlin's displeasure, the Chinese president, Hua Guofeng [Hua Kuo-feng], visited Bucharest. And if Nicolas Ceaucescu talks of Warsaw Pact reform, it is to advocate that staff leadership be taken in turn by a representative of each member nation--a reform the USSR is not able to accept.

Last November Soviet troop movements near the Romanian frontier having been reported, Carter had dispatched to Bucharest his secretary of the Treasury, Mr Blumenthal, charging him to deliver to Ceaucescu during their 90-minute talk a message congratulating him on his "constructive role."

With 140,000 men and 300 MiG's over a 1,700-kilometer border, both land and sea, the Romanian Army would hardly present excessive resistance to a Soviet incursion, but Ceaucescu sees himself as without fault. Far from preaching the humanist look for socialism. In Romania, he maintains the most Stalinist regime of all the East European countries except for Albania. Ceaucescu has more power than Brezhnev. Like Stalin, he has kept any possible successors at a distance. By means of "executive rotation" every two or three years, Romanian leaders change assignment, transferred by the party in the administration, they move from one region to another without being given time to establish a base.

Only the chief of state's family escapes the maelstrom: Elena Ceaucescu, who has just received on her birthday the medal of the Star of the Socialist Republic of Romania, first class; and Ceaucescu's son-in-law, placed at the head of student organizations, as well as some cousins.

General Pacepa's defection to the West, the head of Security, gave Ceaucescu an opportunity of getting rid of anyone suspect for "lack of vigilance," or otherwise said, of fidelity to him personally.

But the Romanian economy will not obey these rules: it deteriorates and discontent is growing. In 1977, 30,000 miners in the Giu valley went on strike and--curiously--48 hours after a visit from the chief of state the Pitesti refinery was accidentally destroyed.

Ceaucescu knows very well he must have a loophole for escape should there be a clean sweep made "after Brezhnev." This is why he is raking in pledges, thinking there will be no need to redeem them. Sign of independence: he hasn't given up on constructing a Romanian airplane to market if not to China at least to the Third World. The Romanians have invested 350 million dollars in an assembly line set up for a highly sophisticated plane, possibly of German origin.

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As for the Russians, they are still working to encircle Romania. The Romanians having always refused to open a corridor through their territory for Soviet or other troops to pass through to Bulgaria, the Soviets have recently put four ferry boats into daily service on the Black Sea between Ilychev, south of Odessa, and Varna. Four fifths of the traffic between USSR and Bulgaria is by cargo boat. The last fifth transits through Romania by rail. But the width of the tracks being different in Russia from the rest of Europe, the Russians complain that merchandise shipments take up to four weeks to get across Romania. Henceforth this traffic will be assured by the ferries.

Prelude to a blockade? Each ferry can take on board 100 railroad cars or 150 Soviet T62 tanks. Soviet tanks landing in Bulgaria will find themselves 480 kilometers from Yugoslavia, 400 from Greece and 280 from Turkey. The Yugoslavs are pricking up their ears. They know that to attack them the Eastern forces must go through Hungary and Bulgaria. So it is laid out in the Polarka plan revealed by General Pacepa.

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